

244.167 Unlawful acts relating to wholesalers or distributors.

- (1) It is unlawful:
 - (a) For any distiller, rectifier, winery, brewer, or importer to solicit, accept, or fill any order for any alcoholic beverage from any wholesaler or distributor in the Commonwealth of Kentucky unless the supplier is the primary source of supply for the brand of alcoholic beverage sold or sought to be sold;
 - (b) For any wholesaler, distributor, or any other licensee in this Commonwealth to order, purchase, or receive any alcoholic beverage from any supplier unless the supplier is the primary source of supply for the brand ordered, purchased, or received;
 - (c) For a retailer to order, purchase, or receive any alcoholic beverage from any source other than any of the following:
 1. A wholesaler or distributor who has purchased the brand from the primary source of supply; or
 2. A wholesaler or distributor who is the designated representative of the primary source of supply in this Commonwealth and who has purchased alcoholic beverages from the designated representative of the primary source of supply within or without this Commonwealth; and
 - (d) For alcoholic beverages to be transported from a wholesaler's or distributor's warehouse within twenty-four (24) hours of the time they are unloaded.
- (2) The Alcoholic Beverage Control Board may suspend for a period not to exceed one (1) year the license of any wholesaler, distributor, or retailer who violates the provisions of this section.
- (3) Upon determination by the Alcoholic Beverage Control Board that a primary source of supply has violated the provisions of this section, no wholesaler, distributor, or retailer may accept any shipment of alcoholic beverages from the primary source of supply for a period of one (1) year.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 62, sec. 97, effective June 29, 2017. -- Amended 2013 Ky. Acts ch. 121, sec. 86, effective June 25, 2013. -- Amended 2010 Ky. Acts ch. 24, sec. 590, effective July 15, 2010. -- Created 1996 Ky. Acts ch. 72, sec. 2, effective July 15, 1996.